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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92049790
Party	Plaintiff Academy of Motion Picture Arts and Sciences
Correspondence Address	Quinn Emanuel Urquhart Oliver & Hedges, LLP 51 Madison Avenue, 22nd Floor New York, NY 10010 UNITED STATES ulanaholubec@quinnemanuel.com, claudiabogdanos@quinnemanuel.com
Submission	Other Motions/Papers
Filer's Name	Ulane Holubec
Filer's e-mail	ulanaholubec@quinnemanuel.com, claudiabogdanos@quinnemanuel.com
Signature	/ulanaholubec/
Date	08/24/2009
Attachments	AMPAS vs Breathe California - Stipulation re Facts.pdf ( 2 pages )(27247 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 3,235,385  
Registered April 24, 2007  
Mark: THE HACKADEMY AWARDS

ACADEMY OF MOTION PICTURE ARTS AND  
SCIENCES.

Petitioner. Cancellation No. 92/049,790

-against-

BREATHE CALIFORNIA OF SACRAMENTO-  
EMIGRANT TRAILS,

Respondent.

**STIPULATION**

WHEREAS Petitioner Academy of Motion Picture Arts and Sciences ("AMPAS" or "Petitioner") and Respondent Breathe California of Sacramento Emigrant Trails' ("Respondent") have met and conferred, through their respective counsel, regarding certain evidentiary issues in the case;

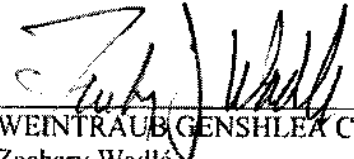
NOW THEREFORE, Petitioner and Respondent, through their respective counsel, hereby stipulate that, throughout Respondent's existence, and prior to its adoption of the designation THE HACKADEMY AWARDS, the various individual representatives of Respondent had a

general knowledge and awareness of Petitioner's awards show called THE ACADEMY AWARDS and the trophies named THE ACADEMY AWARDS presented during the event.

IT IS SO STIPULATED.

Dated: July 31, 2009

By:


  
WEINTRAUB GENSHEA CHEDIAK  
Zachary Wadlé  
400 Capitol Mall, 11th Floor  
Sacramento, CA 95814

*Attorneys for Respondent Breathe California of  
Sacramento-Emigrant Trails*

-and-

Dated: July 31, 2009

By:

  
QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP  
Claudia T. Bogdanos  
Ulana Holubec  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Telephone: (212) 849-7255  
Facsimile: (212) 849-7100

QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP  
David W. Quinto  
865 South Figueroa Street, 10th Floor  
Los Angeles, CA 90017-2543  
Telephone: (213) 443-3000  
Facsimile: (213) 443-3100

*Attorneys for Petitioner Academy of Motion Picture  
Arts and Sciences*